

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BILL SURI,

Plaintiff,

-against-

MEMORANDUM AND ORDER

21 CV 5365 (PKC) (CLP)

THE UNITED STATES OF AMERICA *and*
BUREAU OF PRISONS,

Defendants.

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POLLAK, Chief United States Magistrate Judge:

On September 27, 2021, plaintiff Bill Suri commenced this action against defendants, the United States of America and the Bureau of Prisons (collectively, “defendants”), alleging negligence, malpractice, and deliberate indifference to plaintiff’s medical needs pursuant to the Federal Tort Claims Act, 18 U.S.C. § 2671, et seq. (Compl.¹).

On October 31, 2021, plaintiff passed away. (See Cert.²). His son, Dustin Suri, was appointed Administrator of plaintiff’s estate on November 18, 2021. (Id.) After several status reports filed by plaintiff’s counsel indicating he was corresponding plaintiff’s son regarding how he wished to proceed in the case as Administrator (see ECF Nos. 12-14), Mr. Dustin Suri now moves for an Order permitting his substitution as plaintiff in this action so that he may dismiss the action. (See ECF No. 15).

Having reviewed the various status reports by plaintiff’s attorney and the Certificate of Voluntary Administration issued by the Queens County Surrogate, and there being no objection

¹ Citations to “Compl.” refer to plaintiff’s Complaint, filed on Sept. 27, 2021, ECF No. 1.

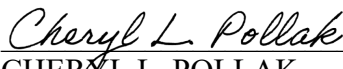
² Citations to “Cert.” refer to the Certificate of Voluntary Administration, dated Nov. 18, 2021 and filed as Exhibit 2 to plaintiff’s May 11, 2022 status report, ECF No. 15.

from defendants, the Court grants the motion to substitute Dustin Suri, the Administrator of Bill Suri's Estate, as plaintiff in the above-captioned action.

The parties are to provide a status report to the Court or file a stipulation of dismissal by June 13, 2022. The Clerk is directed to send copies of this Order to the parties either electronically through the Electronic Case Filing (ECF) system or by mail.

SO ORDERED.

Dated: May 12, 2022
Brooklyn, New York



CHERYL L. POLLAK
United States Magistrate Judge
Eastern District of New York